

CATHERINE A. COFFMAN,

NO. 3:10-1052
JUDGE HAYNES

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**ROBERT J. YOUNG COMPANY,
INC.,**

Defendant.


Before the Court is the Magistrate Judge's Report and Recommendation (Docket Entry No. 23) that Defendant Robert J. Young Company, Inc.'s motion to dismiss (Docket Entry No. 14) should be denied in part and granted in part. The Report and Recommendation recommends that the motion be denied with respect to Plaintiff's ADA discrimination claim and granted with respect to Plaintiff's FMLA claims.

After de novo review, the Court **ADOPTS** the Report and Recommendation and the Defendant's motion is **DENIED** as to Plaintiff's ADA discrimination claim and **GRANTED** as to Plaintiff's FMLA claims.

Pursuant to 28 U.S.C. § 636(b)(1) (A) and (B), this action is referred to the Honorable John Bryant, Magistrate Judge to hear and determine any pretrial motion, including discovery matters, to conduct any necessary conferences and hearings and to submit a report and recommendation for disposition of any motion filed under Fed. R. Civ. P. 12, 15, 56 and 65.

It is so ORDERED.

ENTERED this the 13th day of June, 2011.


WILLIAM J. HAYNES, JR.
United States in Judge